

#7/ELECTION  
9/10/02  
Molteni

PATENT

Customer No. 22,852

Attorney Docket No. 04329.2686-00



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

**YOSHIAKI SUGIZAKI**

) Group Art Unit: 2811

Serial No: 09/972,855

) Examiner: Patricia M. Costanzo

Filed: October 10, 2001

For: SEMICONDUCTOR DEVICE )

Commissioner for Patents  
Washington, DC 20231

Sir:

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**RESPONSE TO RESTRICTION REQUIREMENT**

In the Restriction Requirement dated August 1, 2002, with a period for response extending through September 3, 2002 (September 1, 2002 being a Sunday and September 2 being a Federal holiday), the Examiner required restriction under 35 U.S.C. § 121 between the following Examiner-designated groups:

Embodiment 1 of Figure 1

Embodiment 2 of Figure 2

Embodiment 3 of Figure 3

Embodiment 4 of Figure 4

Embodiment 5 of Figure 5

Embodiment 6 of Figure 6

Embodiment 7 of Figure 7

Embodiment 8 of Figure 8

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER LLP

1300 I Street, NW  
Washington, DC 20005  
202.408.4000  
Fax 202.408.4400  
www.finnegan.com

Embodiment 9 of Figure 9  
Embodiment 10 of Figure 10  
Embodiment 11 of Figure 11  
Embodiment 12 of Figure 12  
Embodiment 13 of Figure 13  
Embodiment 14 of Figure 14  
Embodiment 15 of Figure 15  
Embodiment 16 of Figure 16  
Embodiment 17 of Figure 17  
Embodiment 18 of Figure 18  
Embodiment 19 of Figure 19  
Embodiment 20 of Figure 20  
Embodiment 21 of Figure 21  
Embodiment 22 of Figure 22  
Embodiment 23 of Figure 23  
Embodiment 24 of Figure 24  
Embodiment 25 of Figure 25  
Embodiment 26 of Figure 26  
Embodiment 27 of Figure 27  
Embodiment 28 of Figure 28

(Office Action, pgs 2-3.)

Applicant provisionally elects, with traverse, to prosecute the group characterized by the Examiner as "Embodiment 24 of Figure 24." Claims 3, 12, 13, 19 and 20 are readable on the elected species.


The Examiner alleges the present application includes 28 patentably distinct species. Applicant, however, submits that even if the Examiner has correctly identified "independent or distinct inventions" within the application, the restriction requirement is improper because "the search and examination of [the] entire application can be made without serious burden." MPEP § 803

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: September 3, 2002

By:  #24,014  
for Richard V. Burgujian  
Reg. No. 31,744

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER LLP

1300 I Street, NW  
Washington, DC 20005  
202.408.4000  
Fax 202.408.4400  
www.finnegan.com